

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KHAMKHAY KEOMANIVONG,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. C14-1236-MJP-BAT

**REPORT AND
RECOMMENDATION**

Khamkhay Keomanivong, a native and citizen of Laos, filed a habeas petition pursuant to 28 U.S.C. § 2241, seeking supervised release from the Northwest Detention Center or a bond hearing. *See* Dkt. 3. He has since been released on an order of supervision. Dkt. 9. Because Mr. Keomanivong has already been granted the relief sought—supervised release from immigration detention—his claim must be denied as moot. *See Abdala v. I.N.S.*, 488 F.3d 1061, 1065 (9th Cir. 2007) (claims are moot where court cannot provide the requested relief); *Flores-Torres v. Mukasey*, 548 F.3d 708, 710 (9th Cir. 2008). Accordingly, the Court recommends **GRANTING** respondent’s motion to dismiss, Dkt. 8; **DENYING** petitioner’s habeas petition, Dkt. 3; and **DISMISSING** this action without prejudice. A proposed order accompanies this Report and Recommendation.

This Report and Recommendation is not an appealable order. Therefore a notice of

1 appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
2 assigned District Judge enters a judgment in the case. Objections, however, may be filed and
3 served upon all parties no later than **November 7, 2014**. The Clerk should note the matter for
4 **November 7, 2014**, as ready for the District Judge's consideration if no objection is filed. If
5 objections are filed, any response is due within 14 days after being served with the objections. A
6 party filing an objection must note the matter for the Court's consideration 14 days from the date
7 the objection is filed and served. The matter will then be ready for the Court's consideration on
8 the date the response is due. Objections and responses shall not exceed five (5) pages. The
9 failure to timely object may affect the right to appeal.

10 DATED this 24th day of October, 2014.

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13 BRIAN A. TSUCHIDA
14 United States Magistrate Judge
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